

AUG 25 2006

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ALEJANDRO GARCIA-BOLANOS,

Defendant - Appellant.

No. 06-30116

D.C. No. CR-05-00150-FVS

MEMORANDUM^{*}

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ALEJANDRO GARCIA-BOLANOS,

Defendant - Appellant.

No. 06-30117

D.C. No. CR-05-00181-FVS

Appeal from the United States District Court
for the Eastern District of Washington
Fred L. Van Sickle, Chief Judge, Presiding

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

Submitted August 21, 2006**

Before: GOODWIN, REINHARDT and BEA, Circuit Judges.

Alejandro Garcia-Bolanos appeals the 21-month sentence imposed following his guilty-plea conviction for illegal re-entry after deportation in violation of 8 U.S.C. § 1326 and the 12-month consecutive sentence imposed following revocation of his supervised release. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Garcia-Bolanos contends that his 21-month sentence is unreasonable because the district court refused to reduce his sentence to account for the “unwarranted” sentencing disparities caused by the lack of fast-track systems in some districts. As Garcia-Bolanos acknowledges in his brief, this contention is foreclosed by *United States v. Marcial-Santiago*, 447 F.3d 715, 719 (9th Cir. 2006) (concluding that “the disparity between Appellants’ sentences and the sentences imposed on similarly situated defendants who are not prosecuted in fast-track districts is not unwarranted”).

Garcia-Bolanos also contends that his 12-month sentence is unreasonable because the district court’s primary reason for the revocation sentence was an

** This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

impermissible factor. We disagree. The record reflects that the district court considered the proper factors listed in 28 U.S.C. § 3583(e).

AFFIRMED.